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Year 1901

San Juan Puerto-Rico, Thursday March 28th

No. 73

PARTÉ OFICIAL

AN ACT

To prove revenue for the People of Porto Rico,
and for other purposes.

(Continuation.)

Sección 14.—In listing and valuing property for the purpose of taxation, as herein provided, every taxable person is authorized to subtract from his listed credits the bills payable and other bona fide indebtedness owing by him; provided that, such person shall give, if required, an itemized statement of such indebtedness, how secured, where registered, to whom owing, for what incurred, the residence of such creditors and the amount due each. No such person shall be entitled to any deduction on account of indebtedness not founded on actual consideration, nor on account of any unpaid subscription to any institution, society, corporation or company, nor on account of any indebtedness contracted for the purchase of United States bonds or other nontaxable property. The said deduction for indebtedness shall in no case exceed the amount of credits listed, except in the case of mortgages, as provided in section 15 of this act, and if there be no credits listed there shall be no debts deducted, except as aforesaid. The respective assessors are hereby directed to strike out or disallow all such indebtedness as they may believe fraudulent, fictitious or otherwise invalid under the provisions of this act and, for their better information concerning the validity of such indebtedness, the assessors are hereby authorized and directed to demand and solicit, whenever in their judgment such demand and solicitation may be necessary, from registrars of property, the aforesaid creditors and the assessors of the assessment district in which the aforesaid creditors may have been reported to reside, all necessary information and data concerning the validity of such indebtedness as the said registrars, creditors and assessors may possess. And said registrars, creditors and assessors shall answer all such questions freely, truly, and without charge, under the pains and penalties provided in section 74 of this act.

Sección 15.—Every mortgage, censo, deed of trust, contract or other obligation by which a debt is secured, shall, for the purposes of assessment and taxation, be deemed and treated as an interest in the property affected thereby. In case of debts so secured, the value of the property affected by such mortgage, censo, deed of trust, contract or obligation, less the value of such security, shall be assessed and taxed to the owner thereof in the municipal district or other local division in which the property is situated. But no tax shall be paid by the mortgagor or creditor upon any such security which by clear and unequivocal covenant contained therein is made payable by the mortgagor or debtor, but the same in such case shall be taxable to and paid by said mortgagor or debtor. The taxes so levied shall be lien upon the property and security, and may be paid by either party to such security; but if paid by the owner of the property, said taxes shall constitute a payment upon the debt and, to the extent of such payment, a full discharge thereof.

Sección 16.—It shall be the duty of every person owning property liable to taxation under the laws of Porto Rico who has not received the schedule of assessment, as provided in section 12 of this act, to appear before the assessor in his assessment district, prior to the termination of the assessment within said district, and fill up said schedule and swear to the same, as hereinafter provided. And if such person fails to report, as aforesaid, to said assessor, the assessor shall, upon the best information he can obtain, value and assess the property of such person at its actual market value, and the wilful failure on the part of the owner to do so, shall be deemed a misdemeanor punishable by a fine not exceeding one hundred dollars.

of such property to make return thereof, as herein provided, shall be deemed a misdemeanor punishable, upon conviction thereof, by a fine not exceeding one hundred dollars.

Sección 17.—Every person or persons liable to taxation under this act shall, at the time of returning said list or schedule to said assessor, take or subscribe the following:

"I, ..., being duly sworn, say that, to the best of my knowledge, information and belief the foregoing statement contains a full, true and complete list of all property held or belonging to me (or to me as a partner, or in my possession as trustee, administrator, guardian, committee of a lunatic or agent), and that all such property has been fully and fairly described and its true condition and value represented; that I have in no case sought to mislead said assessor as to the quantity or quality of said property, and that the deductions claimed from credits are bona fide debts for a consideration received and do not consist, in any part, of fictitious debts, or unpaid subscriptions to any institutions, society, corporation or company; that I have not, directly or indirectly, converted or exchanged any of my property temporarily for the purpose of evading the assessment thereof for taxation into non-taxable property or securities of any kind."

Subscribed and sworn before me, this day of 1901.

Assessor."

Sección 18.—If any person shall fail or refuse to list or report any bonds, notes, censos, claims or other evidences of debt which are subject to assessment and taxation under the provisions of this act, the same shall not be recoverable by action at law or suit in equity before any of the courts of this Island until they have been properly listed and the taxes and penalties provided in this act paid thereon.

Sección 19.—It shall be the duty of each assessor, upon the return to him of the said assessment schedules, to examine each item carefully and to settle and determine the value of the same, assessing each at its actual market value without looking to a forced sale. If the assessor increase the valuation of any item as made by the owner or other person listing the same, he shall serve a written or printed notice of such increase upon said person, either personally or by leaving the notice at the residence of said person, or upon the premises the assessment of which has been so increased, and unless said person, or an authorized agent of said person, shall appeal from such assessment to the proper board of review, such assessment shall be final and binding.

Sección 20.—Whenever the said assessors, prior to the filing of their returns with the boards of review, shall discover or receive credible information that any real or personal property has been omitted in their respective districts, or that such property has not been properly assessed, they shall proceed forthwith to correct the schedules and add such property thereto.

(To be continued.)

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para proveer de Renta á "El Pueblo de Puerto-Rico" y para otros fines.

(Continuación.)

Sección 14.—Al declarar y valuar la propiedad para los fines de la contribución, según aquí se prescribe, toda persona sujeta al pago de ella está autorizada para deducir de los créditos á su favor y que declare, los pagarés y otras deudas bona-fide que tenga contraídas; disponiéndose que dicha persona dará, si así se lo exigiese, una relación detallada de dichas deudas, en qué forma están garantizadas, lugar del registro, nombre del acreedor, origen de dichas

dendas, residencia de los acreedores y la cantidad adeudada á cada uno. Ninguna persona tendrá derecho á deducción alguna de sus acreencias por deudas no fundadas en valor recibido, ni por suscripciones pendientes de pago é instituciones, sociedades, corporaciones ó compañías, ni por deudas contraídas por compra de bonos de los Estados Unidos ó otra propiedad exenta de contribución. Dicha deducción en las deudas no excederá en ningún caso del importe de los créditos declarados, excepto en el caso de hipotecas, como queda prescrito en la Sección 15 de esta Ley, y si no hubiesen créditos declarados, no habrá deducción de deudas excepto en el caso indicado. Se ordena á los tasadores respectivos borrar ó desestimar todas aquellas deudas que puedan considerar fraudulentas, ficticias ó de algún modo sin valor con arreglo á las prescripciones de esta Ley, y á fin de que obtengan los mejores informes con respecto á la validez de semejantes deudas, quedan por la presente autorizados para pedir y obtener, siempre que á su juicio sean necesarias dichas reclamaciones ó solicitudes, de los Registradores de la propiedad, de los acreedores y de los tasadores de los distritos de valuación, en los cuales residen los antedichos acreedores, todos los informes concernientes á la validez de aquellas deudas que dichos Registradores, acreedores y tasadores puedan suministrar. Dichos Registradores, acreedores y tasadores contestarán á todas las preguntas con entera libertad y exactitud, sin devengar honorarios y bajo las penas prescritas en la Sección 64 de esta Ley.

Sección 15.—Toda hipoteca, censo, pacto de retro, contrato ó otra obligación dada en garantía de una deuda, será á los fines de la valuación y el pago de contribución, considerada y apreciada como un derecho ó título á la propiedad afectada. En caso de deudas garantizadas de este modo, el valor de la propiedad afectada por dicha hipoteca, censo, pacto de retro, contrato ó obligación, menos el valor de la deuda garantizada, se tasará á nombre del propietario, el cual queda obligado al pago de la contribución de la misma en el distrito municipal ó otra división local en que radique la propiedad. Pero no pagará contribución el acreedor hipotecario sobre ninguna deuda garantizada, si por cláusula clara ó inequívoca contenida en el convenio, ha de ser satisfecha por el deudor; pero en tal caso se impondrá y recaudará la contribución á dicho deudor hipotecario. Las contribuciones así impuestas constituirán un gravámen sobre la propiedad y crédito asegurado, que podrá ser cancelado por cualquiera de las partes: pero si el dueño de la propiedad verifica el pago de dichas contribuciones será un abono á la deuda garantizada y la redimirá por completa cuando la cantidad satisfecha alcance á cubrir dicha deuda.

Sección 16.—Toda persona que posea propiedad sujeta al pago de contribución con arreglo á las leyes de Puerto-Rico, que no hubiese recibido la planilla para la valuación de la propiedad como se prescribe en la Sección 12 de esta Ley, estará en el deber de comparecer ante el tasador de su distrito antes de la terminación de los trabajos en el mismo, llenar dicha planilla y prestar juramento como mas adelante se prescribe. Si dicha persona dejase de informar al tasador en la forma antes prescrita, éste hará de "oficio" la valuación de la propiedad, utilizando los mejores informes que pueda obtener respecto del valor real y efectivo de la misma en el mercado. La omisión voluntaria del propietario de hacer la declaración de la misma según aquí se prescribe, será considerada una falta, y convicto será castigado con una multa que no excederá de cien dólares.

Sección 17.—Toda persona sujeta al pago de contribución de acuerdo con las prescripciones de esta Ley, prestará ó suscribirá al tiempo de devolver la planilla al tasador, la siguiente declaración jurada: "Yo ... juro solemnemente, y digo, haciendo uso de mi mejor conocimiento, informes y creencias, que la declaración que ante mí contiene una entera relación total, verdadera y completa de todas las pro-